The background is a light blue gradient with several realistic water droplets of various sizes scattered across it. The droplets have highlights and shadows, giving them a 3D appearance. The main title is centered in a large, bold, black sans-serif font.

CURRENT NORTH CAROLINA POOL RULES FOR BATHER SUPERVISION AND SAFETY

PHIL THOMPSON, PROGRAM MANAGER

PUBLIC SWIMMING POOL PROGRAM

DIVISION OF PUBLIC HEALTH – NC DEPT OF HEALTH AND HUMAN SERVICES

A BRIEF HISTORY OF NORTH CAROLINA PUBLIC POOL RULES

- 1989 – GENERAL STATUTE AUTHORIZING PUBLIC POOL RULES
- 1991 – POOL RULES WENT INTO EFFECT STATEWIDE
- RULES ARE ENFORCED BY REGISTERED ENVIRONMENTAL HEALTH SPECIALISTS AT THE LOCAL LEVEL WHO ACT AS AUTHORIZED AGENTS OF THE STATE
- COUNTY OR DISTRICT HEALTH DEPARTMENTS ARE ALLOWED TO ADOPT LOCAL RULES THAT ARE MORE STRINGENT THAN STATE RULES. (WAKE COUNTY IS CURRENTLY THE ONLY COUNTY WITH LOCAL POOL RULES.)

A BRIEF HISTORY OF NORTH CAROLINA PUBLIC POOL RULES

- PRIOR TO THE ADOPTION OF THE STATE POOL RULES IN 1991, APPROXIMATELY 30 COUNTIES IN NC HAD LOCAL RULES TO REGULATE PUBLIC SWIMMING POOLS.
- PRIOR TO THE GENERAL STATUTE ADOPTION AUTHORIZING POOL RULES, THERE HAD BEEN COMPLAINTS REGARDING THE SANITATION OF POOLS IN THE STATE, ESPECIALLY IN TOURIST AND RESORT AREAS THAT DID NOT HAVE LOCAL POOL RULES.

WHAT IS A PUBLIC SWIMMING POOL?

- ACCORDING TO THE GENERAL STATUTE DEFINITION A PUBLIC SWIMMING POOL “MEANS ANY STRUCTURE, CHAMBER, OR TANK CONTAINING AN ARTIFICIAL BODY OF WATER USED BY THE PUBLIC FOR SWIMMING, DIVING, WADING, RECREATION, OR THERAPY, TOGETHER WITH BUILDINGS, APPURTENANCES, AND EQUIPMENT USED IN CONNECTION WITH THE BODY OF WATER, REGARDLESS OF WHETHER A FEE IS CHARGED FOR ITS USE. THE TERM INCLUDES MUNICIPAL, SCHOOL, HOTEL, MOTEL, APARTMENT, BOARDING HOUSE, ATHLETIC CLUB OR OTHER MEMBERSHIP FACILITY POOLS AND SPAS. THIS ARTICLE DOES NOT APPLY TO A PRIVATE POOL SERVING A SINGLE FAMILY DWELLING AND USED ONLY BY THE RESIDENTS OF THE DWELLING AND THEIR GUESTS.”

- NCGS 130-280

• WHAT IS A PUBLIC SWIMMING POOL?

- “THIS ARTICLE ALSO DOES NOT APPLY TO THERAPEUTIC POOLS USED IN PHYSICAL THERAPY PROGRAMS OPERATED BY MEDICAL FACILITIES LICENSED BY THE DEPARTMENT OR OPERATED BY A LICENSED PHYSICAL THERAPIST, NOR TO THERAPEUTIC CHAMBERS DRAINED, CLEANED, AND REFILLED AFTER EACH INDIVIDUAL USE.”
 - NCGS 130A-280

REQUIREMENTS FOR PUBLIC SWIMMING POOLS

- GENERAL STATUTE 130A-281 STATES “NO PUBLIC SWIMMING POOL MAY BE OPENED FOR USE UNLESS THE OWNER HAS OBTAINED AN OPERATION PERMIT ISSUED BY THE DEPARTMENT PURSUANT TO RULES ADOPTED UNDER G.S. 130A-282.

● STATUTE REQUIREMENTS FOR THE RULES

THE RULES SHALL INCLUDE REQUIREMENTS FOR:

1. SUBMISSION AND REVIEW OF PLANS PRIOR TO CONSTRUCTION.
2. APPLICATION, REVIEW, EXPIRATION, RENEWAL, AND REVOCATION OR SUSPENSION OF AN OPERATING PERMIT.
3. INSPECTION.
4. DESIGN AND CONSTRUCTION INCLUDING MATERIALS, DEPTH AND OTHER DIMENSIONS, AND STANDARDS FOR THE ABATEMENT OF SUCTION HAZARDS.
5. OPERATION AND SAFETY INCLUDING WATER SOURCE, WATER QUALITY AND TESTING, FENCING, WATER TREATMENT, CHEMICAL STORAGE, TOILET AND BATH FACILITIES, MEASURES TO ENSURE THE PERSONAL CLEANLINESS OF BATHERS, SAFETY EQUIPMENT AND OTHER SAFETY MEASURES, AND SEWAGE AND OTHER WASTEWATER DISPOSAL.

SAFETY MEASURES

- FENCING REQUIREMENTS COMPLY WITH AND MIRROR THE RECOMMENDED STANDARDS AS SET FORTH BY THE FEDERAL CONSUMER PRODUCTS SAFETY COMMISSION AND CURRENT APPLICABLE BUILDING CODE STANDARDS.
 - EXCEPTION – NC SESSION LAW 2011-39 ALLOWS THE FOLLOWING: THE DEPARTMENT SHALL NOT DENY AN OPERATION PERMIT TO AN OWNER OR OPERATOR OF A PUBLIC SWIMMING POOL THAT RECEIVED AN OPERATION PERMIT PRIOR TO APRIL 1, 2010, SOLELY DUE TO THE FAILURE OF THE OWNER OR OPERATOR TO COMPLY WITH THE SPECIFIC FENCING REQUIREMENTS SET FORTH IN 15A NCAC 18A .2528(A)(1) THROUGH 15A NCAC 18A .2528(A)(6) AND 15A NCAC 18A .2528(B)(1) THROUGH 15A NCAC 18A .2528(B)(2).

LIFEGUARDED POOLS IN NORTH CAROLINA

- THERE ARE APPROXIMATELY 10,000 PUBLIC SWIMMING POOLS IN NORTH CAROLINA.
- IT IS ESTIMATED THAT LESS THAN 20% ARE LIFEGUARDED.
- WARNING SIGNAGE IS REQUIRED BY CODE TO BE INSTALLED AT ALL PUBLIC POOLS IN NORTH CAROLINA WHERE LIFEGUARDS ARE NOT PROVIDED.

RULES FOR PUBLIC POOLS WITHOUT LIFEGUARDS

- RULES FOR PUBLIC POOLS WITHOUT LIFEGUARDS.
- RULE .2530(C) WHEN A SWIMMING POOL DOES NOT HAVE AT LEAST ONE LIFEGUARD ON DUTY, A SIGN SHALL BE POSTED WITH LEGIBLE LETTERS OF AT LEAST FOUR INCHES (10 CM) IN HEIGHT STATING: "WARNING-NO LIFEGUARD ON DUTY."
- IN ADDITION THERE SHALL BE SIGNS LEGIBLE FROM ALL BATHER ENTRANCES WITH A MINIMUM LETTER SIZE OF ONE INCH STATING: "CHILDREN SHOULD NOT USE THE SWIMMING POOL WITHOUT ADULT SUPERVISION", AND: "ADULTS SHOULD NOT SWIM ALONE". WADING POOLS THAT DO NOT HAVE A LIFEGUARD INSIDE THE WADING POOL ENCLOSURE SHALL HAVE A SIGN POSTED STATING "WARNING NO LIFEGUARD ON DUTY". SUCH SIGNS SHALL BE MOUNTED PERMANENTLY.

RULES FOR PUBLIC POOLS BOTH WITH AND WITHOUT LIFEGUARDS

- SAFETY EQUIPMENT
 - REACHING POLE NOT LESS THAN 12 FEET LONG WITH BODY HOOK.
 - USCG APPROVED RING BUOY WITH $\frac{1}{4}$ DIAMETER INCH THROWING ROPE AS LONG AS 1.5 TIMES THE WIDTH OF THE POOL OR 50 FEET.
 - A RESCUE TUBE OR RESCUE CAN SHALL BE ACCEPTED AS A SUBSTITUTE FOR THE RING BUOY WHERE IT IS ACCOMPANIED BY A LIFEGUARD WHO HAS BEEN TRAINED TO USE IT PROPERLY.
 - IF POOL IS LARGER THAN 3,000 SQUARE FEET SURFACE AREA, THEN 2 POLES WITH BODY HOOKS AND 2 RING BUOYS ARE REQUIRED.

SHORTAGE OF LIFEGUARDS

- CURRENTLY THERE IS A SHORTAGE OF LIFEGUARDS IN THE STATE.
 - WATERPARKS ARE GETTING LIFEGUARDS FROM AS FAR AWAY AS EASTERN EUROPE AND SOUTH AMERICA TO BE ABLE TO FULLY STAFF THEIR VENUES FOR THE SUMMER POOL SEASON.

COST OF REQUIRING LIFEGUARDS

- IF ALL PUBLIC POOLS IN NC WERE REQUIRED BY LAW TO PROVIDE A LIFEGUARD OR LIFEGUARDS, IT WOULD HAVE A MAJOR ECONOMIC IMPACT ON THE POOL INDUSTRY.
 - MOST POOLS DON'T GENERATE INCOME
 - MOST ARE PROVIDED AS AN AMENITY

COST OF REQUIRING LIFEGUARDS

- COST FOR PROVIDING LIFEGUARDS – LABOR ONLY
 - STARTING WAGE - \$8.50/HOUR
 - POOL NEEDS 1 LIFEGUARD AT ALL TIMES FOR COVERAGE 84 HRS/WEEK
= \$714.00
 - POOLS NEEDS 2 LIFEGUARDS AT ALL TIMES FOR COVERAGE 84 HRS/
WEEK = \$1,428.00
 - 1 LIFEGUARD COVERAGE FOR SEASON (14 WEEKS) = \$9,996.00
 - 2 LIFEGUARDS COVERAGE FOR SEASON (14 WEEKS) = \$19,992.00

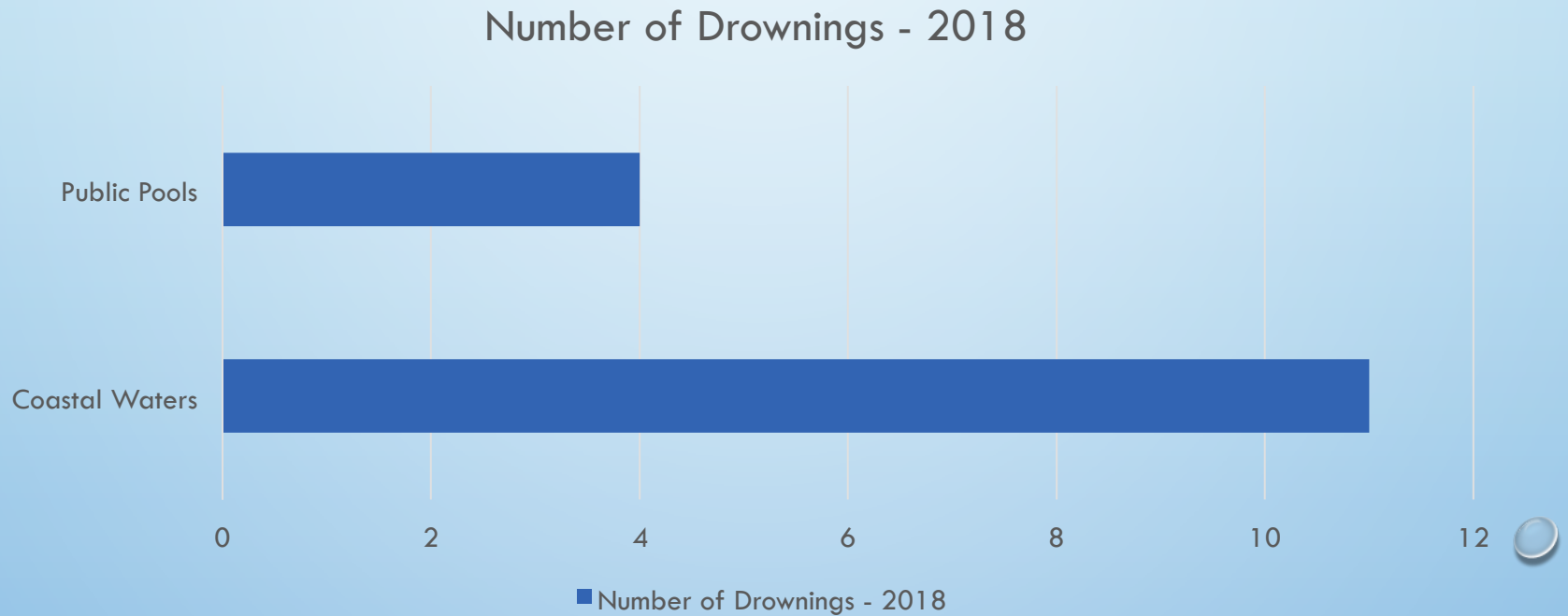
COST OF REQUIRING LIFEGUARDS (OTHER ASSOCIATED COSTS)

- **EQUIPMENT SUCH AS ELEVATED STANDS/
CHAIRS, RESCUE TUBES, LIFEGUARD TRAINING,
WORKER'S COMPENSATION INSURANCE, BACK
BOARDS, AUTOMATIC EXTERNAL
DEFIBRILLATORS AND FIRST AID SUPPLIES**

DROWNINGS IN PUBLIC SWIMMING POOLS - NC

- DROWNINGS AND NEAR DROWNINGS ARE NOT REQUIRED TO BE OFFICIALLY REPORTED TO OUR PROGRAM.
- DROWNINGS IN PUBLIC SWIMMING POOLS IN NC USUALLY AVERAGE BETWEEN 1 AND 5 PER YEAR SINCE THE EARLY 1990S. (BY COMPARISON – THERE WERE 11 DROWNING DEATHS ALONG THE NC COAST BETWEEN APRIL AND JULY OF 2018).


DROWNINGS IN NC PUBLIC POOLS VS. NC COASTAL WATERS - 2018





DROWNINGS AT LIFEGUARDED SWIMMING POOLS

SINCE THE ADOPTION OF STATE POOL
RULES, SEVERAL DROWNINGS AND NEAR
DROWNINGS IN PUBLIC POOLS HAVE
OCCURRED AT LIFEGUARDED FACILITIES.



2014 – NC DROWNING DEATHS OF CHILDREN

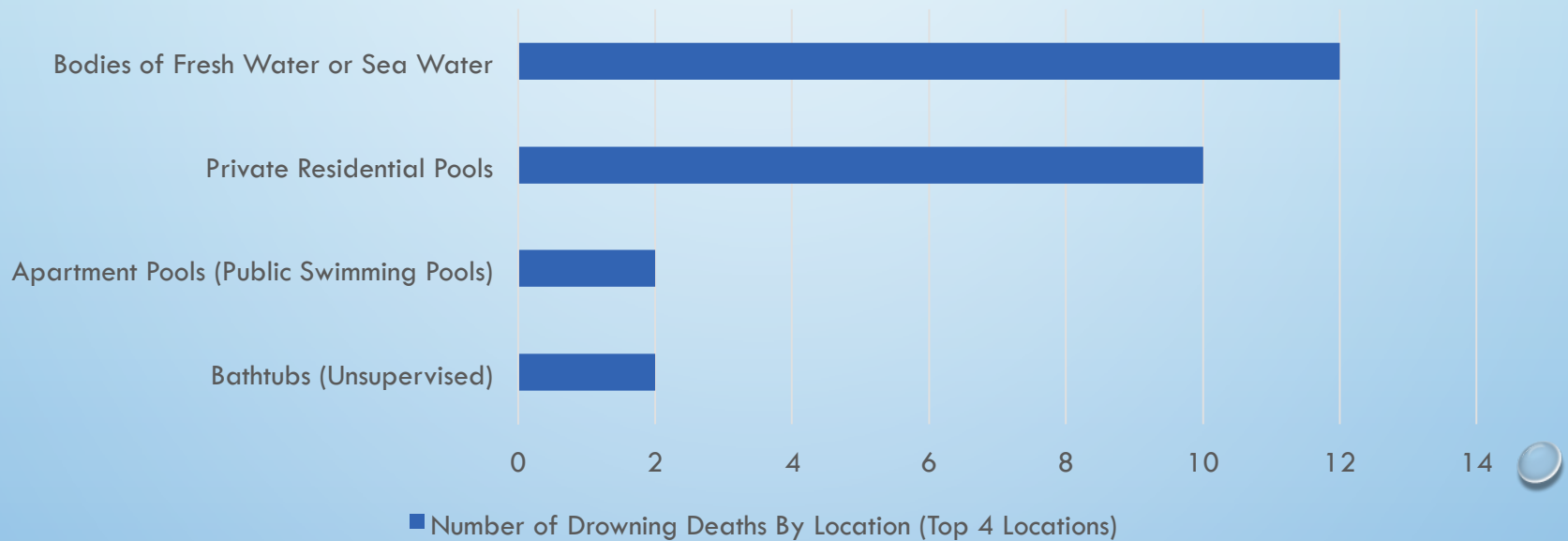
(INFORMATION FROM: NC CHILD FATALITY PREVENTION TEAM)

- 29 TOTAL DROWNING DEATHS OF CHILDREN
 - 12 DEATHS IN BODIES OF FRESH WATER OR SEA WATER
 - 10 DEATHS IN PRIVATE RESIDENTIAL POOLS
 - 2 DEATHS IN APARTMENT POOLS (PUBLIC SWIMMING POOLS)
 - 2 DEATHS IN BATHTUBS (UNSUPERVISED)
 - 1 DEATH IN A SEPTIC TANK (CHILD FELL INTO OPEN TANK)
 - 1 DEATH IN A BUCKET OF LIQUID SOAP
 - 1 DEATH – LOCATION WAS NOT SPECIFIED

2014 – NC DROWNING DEATHS OF CHILDREN

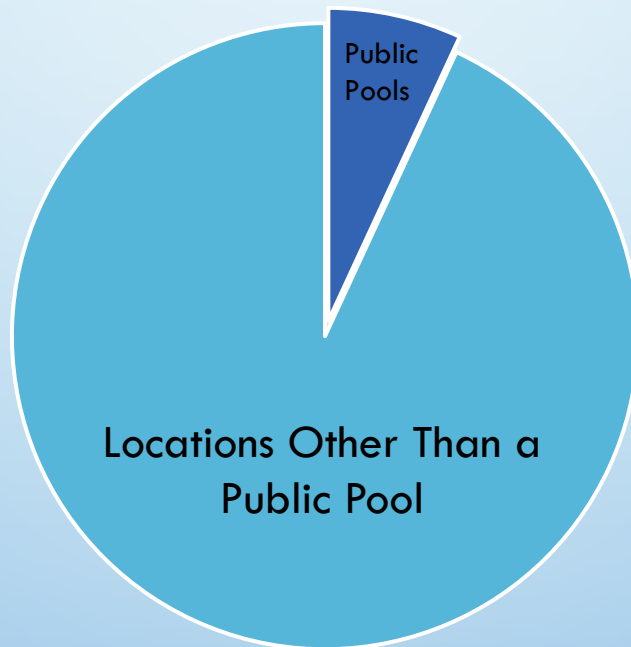
NC CHILD FATALITY PREVENTION TEAM

Number of Drowning Deaths By Location



2014 – NC DROWNING DEATHS OF CHILDREN

Location of Drowning Deaths

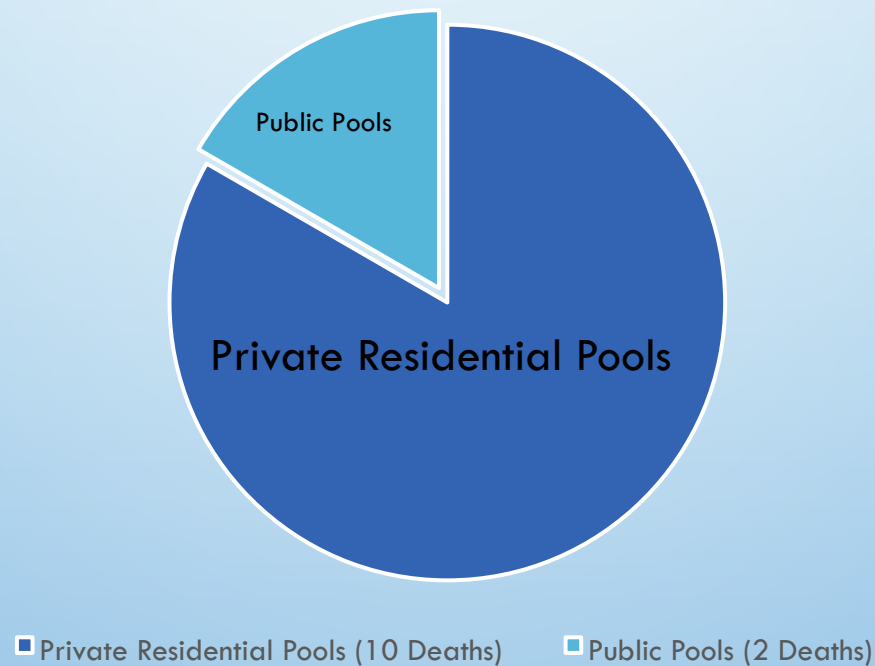


■ 2 Drowning Deaths in Public Pools (7%)

■ 27 Drowning Deaths in Other Locations (93%)

2014 – NC DROWNING DEATHS OF CHILDREN

Drowning Deaths in Residential Private Pools vs. Public Pools



The background of the slide is light blue and decorated with several realistic-looking water bubbles of various sizes. Some bubbles are in the top left corner, some in the top right, and others are clustered in the bottom right corner. The bubbles have highlights and shadows, giving them a three-dimensional appearance.

NATIONAL STATISTICS ON DROWNINGS IN RESIDENTIAL POOLS AND SPAS

- IN THEIR “FACTS ABOUT SWIMMING POOL DROWNING ACCIDENTS” THE NATIONAL SAFETY COUNCIL REPORTS THAT MORE THAN 80% OF DROWNINGS OCCUR IN RESIDENTIAL POOLS AND SPAS.
- IN THE U.S. ABOUT 250 CHILDREN UNDER THE AGE OF 5 DROWN EACH YEAR. MOST OF THOSE INCIDENTS OCCUR IN BACKYARD POOLS AND STUDIES HAVE SHOWN THAT USUALLY AN ADULT WAS NEARBY, BUT NOT WATCHING THE CHILD WHEN THEY FELL IN THE POOL.

The background of the slide is a light blue gradient. It is decorated with numerous realistic water bubbles of various sizes. Some bubbles are large and prominent, while others are small and subtle. They are scattered across the slide, with a higher concentration in the top-left and bottom-right corners, creating a fresh, aquatic feel.

FACTORS CONTRIBUTING TO RESIDENTIAL POOL DROWNINGS

- LACK OF SUPERVISION
- LACK OF ADEQUATE FENCING AND GATES
- LACK OF RESCUE EQUIPMENT
- DEPTH OF POOL
- CHILD IS A NON-SWIMMER

The background of the slide is a light blue gradient. It is decorated with several realistic water bubbles of various sizes. Some bubbles are in the top left corner, some are in the top right, and others are clustered in the bottom right corner. The bubbles have highlights and shadows, giving them a three-dimensional appearance.

SAFETY FACTORS AT PUBLIC POOLS

- ADEQUATE FENCING AND GATES
- RESCUE EQUIPMENT
- 911 EMERGENCY PHONE
- DEPTH OF POOL
- WARNING SIGNAGE
- SUPERVISION AT SOME FACILITIES

THINGS TO CONSIDER

- SHORTAGE OF LIFEGUARDS
 - FACILITIES STRUGGLE NOW TO HIRE, TRAIN AND RETAIN QUALIFIED LIFEGUARDS
- LIABILITY OF PROVIDING LIFEGUARDS
 - MANY FACILITIES DO NOT PROVIDE LIFEGUARDS DUE TO LIABILITY CONCERNS

THINGS TO CONSIDER

- TRAINERS WILL NEED TO BE SCREENED/VETTED
- RECORDKEEPING REQUIREMENTS – 40,000+ LIFEGUARDS
- WILL AN OLB (OCCUPATIONAL LICENSING BOARD) NEED TO BE ESTABLISHED TO OVERSEE THE LIFEGUARD INDUSTRY IN NORTH CAROLINA
- POTENTIAL PUSH BACK FROM POOL INDUSTRY

THINGS TO CONSIDER

- COST FOR PUBLIC POOLS TO PROVIDE LIFEGUARDS COULD CAUSE A LARGE PERCENTAGE OF FACILITIES TO CLOSE – IN TURN ELIMINATING ACCESS TO POOLS FOR CHILDREN TO LEARN TO SWIM – IN TURN **INCREASING DROWNING DEATHS FOR YEARS TO COME.**
- IT IS ESTIMATED THAT **MORE THAN 40%** OF PUBLIC POOLS IN THE STATE (**4,000 POOLS**) MAY VOLUNTARILY CLOSE IF LIFEGUARDS ARE REQUIRED BY LAW.